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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,511	07/16/2003	Kazuya Katoh	24-008	7517

23400 7590 09/25/2006

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12040 SOUTH LAKES DRIVE  
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RESTON, VA 20191

EXAMINER

AHMAD, NASSER

ART UNIT PAPER NUMBER

1772

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/619,511

Applicant(s)

KATOH ET AL.

Examiner

Nasser Ahmad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) 5 and 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-9, 11-14 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's request, filed on 9/7/2006, for reconsideration of the finality of the rejection of the last Office action (mailed on 6/13/2006) is persuasive and, therefore, the finality of that action is withdrawn.

***Rejections Withdrawn***

2. All rejections made in the last Office Action has been withdrawn in view of applicant's argument filed on 9/7/06 and/or cancellation of claims overcoming the 35 USC 112 rejections.

**A new Office Action on the merit follows:**

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 8-9, 11, 13-14, 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kreckel (5516581).

Kreckel relates to a laminate sheet (20) comprising a long release sheet (26), an adhesive layer (24) in continuous contact and coextensive with the release surface of the long release sheet (figure-7), a base material (22) having a first surface and a second surface, the first surface being opposite to the second surface, the first surface

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being in continuous contact and coextensive with the adhesive layer opposite to the long release sheet, the base material being of a different material than the adhesive layer (col. 3, line 63 to col. 4, line 16 lists material for layer **20**, col. 4, lines 41-50 lists adhesive material), and a protective material (**28**) provided longitudinally on and in continuous contact with a generally peripheral portion of the second surface of the base material, wherein the peripheral portion corresponds to a portion other than a principally used portion of the adhesive layer (because the protective layer **28** extends only partially).

Figure-7 shows (for claim 2) that a central portion of the adhesive layer in the widthwise direction thereof is the principally used portion of the adhesive layer, while the protective material is provided on both sides of the second surface of the base material in the widthwise direction thereof the protective material extends across the width of the base material **22** and hence, is located along both side edges of the base material).

For claim 3, the protective material is in continuous contact with a generally peripheral portion of the back surface of the long release sheet (because the protective material **28** is in contact as shown in figure-7) wherein the peripheral portion corresponds to a portion other than a principally used portion of the adhesive layer.

Claim 4 is explained hereinabove in section for claim 2.

For claim 8, the protective material has a band like shape and a uniform width (figure-7).

Regarding claim 9, an edge of the protective material is adjacent to the principally-used portion (figure-7).

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For claim 11, the protective material 28 can be made from the same material as the base material (col. 6, lines 49-53), and because the base can be of 10-250 microns (col. 4, lines 20-22), the protective material would have a thickness of 10-250 microns, which would read on the claimed thickness range of 5-100 microns.

For claims 13-14 and 16, applicant is directed to explanations provided hereinabove.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kreckel.

Kreckel, as discussed above, fails to expressly teach that the laminate sheet is wound into a roll. It would have been obvious to one having ordinary skill in the art to provide Kreckel's laminate into a roll form because it is well known and conventional in the adhesive art to provide adhesive tapes in a roll form.

### ***Conclusion***

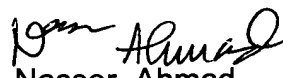
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-

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1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Nasser Ahmad 9/22/06  
Primary Examiner  
Art Unit 1772

N. Ahmad.  
September 22, 2006.